

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

STEVEN MARK ZUBER

PLAINTIFF

v.

Case No. 6:17-cv-6009

FORMER SERGEANT MORROW, *et al.*

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed April 25, 2018, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 31). Judge Marschewski states that on March 6, 2018, the Court entered an order directing Plaintiff Steven Mark Zuber to provide an address for proper service on Defendants Pereny, Burnette, McElroy, and Perry. The order further advised Plaintiff that failure to provide the requested information within twenty-one days would result in those certain Defendants being dismissed as parties to this case. Judge Marschewski states further that Plaintiff did not provide the requested information by the Court's imposed deadline. Accordingly, Judge Marschewski recommends that the Court dismiss Defendants Pereny, Burnette, McElroy, and Perry without prejudice due to Plaintiff's failure to obey a court order.

Plaintiff has not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation *in toto*. Plaintiff's claims against Defendants Pereny, Burnette, McElroy, and Perry are hereby **DISMISSED WITHOUT PREJUDICE**. Defendants Morrow, Bailey, Brinkley, Cain, Thornton, Maxheimer, and Savage remain as parties to this matter.

**IT IS SO ORDERED**, this 23rd day of May, 2018.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge